

I, Marc A. Kudley, a United States Postal Inspector, employed by the United States Postal Inspection Service ("USPS"), being duly sworn, deposes and states:

INTRODUCTION

1. I am a United States Postal Inspector, employed by the USPS in Cleveland, Ohio since May 2012. I am a sworn Federal law enforcement officer empowered to investigate criminal activity involving or relating to the USPS and/or U.S. mail. I am currently assigned to the Prohibited Mailing Narcotics team, which investigates the mailing of illegal narcotics, dangerous drugs and their proceeds. I have received training in the detection and investigation of prohibited mailing offenses. Based on my training and experience investigating drug offenses, I am aware that certain quantities of drugs indicate whether the drugs are intended for personal use or distribution. I have worked Prohibited Mailing Narcotics investigations since August 2012, during which time I have been involved in narcotics investigations leading to prosecution in U.S. District Court, as well as state courts.

2. This Affidavit is offered in support of criminal complaints and arrest warrants for **JERMAINE D. FREEMAN, CEDRIC LEE and MONTRELLE DAVIS.**

STATUTORY AUTHORITY

3. Because this Affidavit is submitted for the limited purpose of supporting a criminal complaint and arrest warrant, I have not included each and every fact known concerning this investigation. I have set forth only the facts I believe necessary to establish probable cause that **JERMAINE D. FREEMAN, CEDRIC LEE and MONTRELLE DAVIS** have committed violations of Title 21, United States Code 841(a)(1) and (b)(1)(A), attempted possession with intent to distribute more than 50 grams of methamphetamine, its salts, isomers, or salts of

isomers, a Schedule II controlled substance and Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(A), conspiracy to possess with intent to distribute more than 50 grams of methamphetamine, its salts, isomers, or salts of isomers, a Schedule II controlled substance .

BACKGROUND INVESTIGATION

4. I know based on training and experience that U.S. mail is often used by narcotic traffickers to transport controlled substances. I know from my training and experience that the Priority Mail system is commonly used to transport controlled substances because Priority Mail provides traceability, reliability, and timely delivery. The guaranteed delivery timeframe of approximately two to three days for Priority Mail places time pressures on law enforcement agents to identify, search, and deliver these drug parcels in a timely manner.

5. On July 10, 2018, while analyzing USPS business records, Postal Inspectors from the U.S. Postal Inspection Service (“USPIS”) Cleveland, Ohio, Field Office identified USPS Priority Mail parcel bearing tracking number 9505 5107 2626 8190 1393 53, addressed to James Davis, 624 Arden Pl, Akron, OH 44306, with a return address of Kevin Ford, 8715 W Earrl, Phoenix, AZ 85037 (hereinafter “USPS parcel 9505 5107 2626 8190 1393 53”). The parcel was in route from Phoenix, Arizona, to Akron, Ohio, when it was identified.

6. Upon further review of USPS business records, I identified a pattern of Priority Mail parcels mailed from the Phoenix, Arizona, area to 624 Arden Pl., Akron, OH 44306. Since March 2017, approximately 18 other Priority Mail parcels have been delivered to 624 Arden Pl, Akron, OH 44306. The weight of the previously delivered parcels ranged from approximately two pounds to approximately 17 pounds.

7. Through a review of USPS business records and databases, I was able to obtain images of the two of the previously delivered parcels. A USPS parcel delivered on May 9, 2018 was addressed to James Davis, 624 Arden Pl, Akron, OH 44306, with a return address of Richard Toney, 8720 W Catalina, Phoenix, AZ 85037. A USPS parcel delivered on June 14, 2018 was addressed to James Davis, 624 Arden Pl, Akron, OH 44306, with a return address of Tony Wells, 3715 W Earl, Phoenix, AZ 85037. While the aforementioned USPS parcels, including USPS parcel 9505 5107 2626 8190 1393 53 were addressed to James Davis, they all listed different sender names and return addresses, which from my training and experience is a characteristic of a USPS parcel that contains a controlled substance.

8. On July 11, 2018, I took possession of USPS parcel 9505 5107 2626 8190 1393 53 after it arrived at the Akron, Ohio, 44306, Post Office. I transported USPS parcel 9505 5107 2626 8190 1393 53 directly to the USPIS Cleveland, Ohio, Field Office for further investigation.

9. The parcel is described as a white USPS Priority Mail Large Flat Rate Box measuring approximately 12" X 12" X 5.5" in size and weighing approximately 6 pounds, 5 ounces. I identified this as a suspect drug parcel based on several characteristics, including but not limited to type of mail, origin, destination, and size.

10. USPS parcel 9505 5107 2626 8190 1393 53 was mailed on July 9, 2018, from the Phoenix, AZ 85009 Post Office and bore \$18.90 in U.S. Postage. Based on my training and experience, I know the Arizona has historically been a source state for mailed controlled substances into Northern Ohio.

11. I made inquiries with CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number

information, concerning the delivery address of 624 Arden Pl, Akron, OH 44306, and was unable to associate James Davis at the address.

12. I also conducted inquiries with CLEAR, concerning the return address of 8715 W Earl, Phoenix, AZ 85037, and was unable to associate Kevin Ford at the address.

13. I know, based on training and experience, that individuals using the U. S. mail for the purpose of transporting controlled substances often place fictitious address and/or name information, different variations of their names, or no names at all on these parcels, to conceal their true identities from law enforcement should the parcel be seized.

14. On July 11, 2018, at the USPS Cleveland, OH Field Office, USPS parcel 9505 5107 2626 8190 1393 53 was placed into a lineup containing several blank parcels which emanated no narcotics odors. Narcotic detection canine "Ciga", handled by Detective Michael Twombly of the Cuyahoga County Sheriff's Office was allowed to examine the lineup. According to Detective Twombly, Ciga gave a positive alert on the subject parcel. According to Detective Twombly, this positive alert meant Ciga detected the odor of an illegal drug emanating from the parcel.

15. On July 11, 2018, in the Northern District of Ohio, a federal search warrant (1:18MJ3220) was authorized by the Honorable Magistrate Judge Thomas M. Parker for USPS parcel 9505 5107 2626 8190 1393 53. I executed the search warrant on USPS parcel 9505 5107 2626 8190 1393 53 and identified approximately one pound of an off-white crystalline substance in vacuum sealed food saver bags that field tested positive for methamphetamine, a Schedule II controlled substance. The crystalline substance was concealed in a package of white tee shirts and packaged with shoes, socks, and a can of Arizona fruit juice.

16. Based on my training and experience, I am aware that approximately one pound (approximately 453 grams) of methamphetamine is a distribution amount of methamphetamine.

17. On July 11, 2018,¹ Postal Inspectors from the USPIs Cleveland, Ohio, Field Office and officers with the Akron Police Department Narcotics Unit (APD) conducted a controlled delivery of the subject parcel and related contents. I placed approximately 2.3 grams of the original crystalline substance back into USPS parcel 9505 5107 2626 8190 1393 53 in advance of the controlled delivery in the event the parcel was lost or destroyed.

18. A U.S. Postal Inspector, acting in an undercover capacity as a USPS Letter Carrier, delivered USPS parcel 9505 5107 2626 8190 1393 53 to 624 Arden Pl, Akron, OH 44306. At approximately 11:20 a.m., the Inspector arrived at the delivery address with the subject parcel and knocked on the front door. An African-American male, later identified as **CEDRIC LEE**, answered the front door. The Inspector asked **LEE** if James Davis (the addressee name on the parcel) was good at the address and **LEE** stated that it was. The Inspector delivered the subject parcel to **LEE** and **LEE** placed the parcel into the residence. The Inspector returned to his USPS vehicle and departed the area.

19. At approximately 2:15 p.m., **LEE** was observed by APD officers exiting the back door of the residence located at 624 Arden Place and walking around the backyard. **LEE** went back inside the residence approximately one minute later.

20. At approximately 2:37 p.m., **LEE** was observed by APD officers walking on the side of the residence talking on a cellular phone. **LEE** went back into the residence approximately one minute later.

¹ Paragraphs 17-24 all occurred on July 11, 2018.

21. At approximately 4:45 p.m., law enforcement officers with the USPIS and APD executed an anticipatory search warrant for 624 Arden Place that was granted within the jurisdiction of the Akron Municipal Court. Upon making entry into the residence, officers observed **LEE** on the living room couch next to his one-year-old son. **LEE** was detained without incident. Officers observed a backpack next to the couch in close proximity to where **LEE** was on the couch. Officers searched the backpack and recovered the following items: 1) a Llama .32 caliber revolver loaded with three rounds wrapped in a tee shirt, 2) a crystalline substance in a clear baggie that field tested positive for methamphetamine, 3) a white powder in a clear plastic baggie that field tested positive for cocaine, 4) a digital scale, 5) a silver spoon, 6) one empty clear plastic baggie, 7) a Samsung cellular phone, 8) an LG cellular phone, and 9) three pieces of mail addressed to **CEDRIC LEE**, 624 Arden Pl, Akron, OH 44306. I know from my training and experience that guns, scales, and plastic baggies are tools associated with drug trafficking activities.

22. Within the residence, officers recovered two digital scales and mail addressed to **MONTRELLE DAVIS**, 624 Arden Pl, Akron, OH 44306. Officers also received an already opened and empty USPS Priority Mail parcel bearing tracking number 9505 5118 0438 8163 1371 18 with the label torn off. The USPS box is further described as a Large Flat Rate Box. I reviewed USPS business records and was able to confirm that USPS parcel 9505 5118 0438 8163 1371 18, was addressed to James Davis, Arden Pl, Akron, OH 44306, with a return address of Tony Wells, 3715 W Earl, Phoenix, AZ 85037, and was delivered on June 14, 2018. This parcel weighed 5 pounds, 12 ounces and bore \$18.90 in U.S. Postage.

23. Prior to any questioning, Inspector B. Green advised **LEE** of his Miranda Rights. **LEE** acknowledged he understood his rights and willingly agreed to answer questions at this

time without the presence of an attorney. **LEE** told the Inspectors he had no idea why law enforcement officers were at the Arden Pl residence. **LEE** stated he did not reside at 624 Arden Pl and said he was waiting for the mother of his child, **MONTRELLE DAVIS**, to arrive home. **LEE** stated he placed the USPS parcel that was previously delivered on this day in the closet. Officers recovered USPS parcel 9505 5107 2626 8190 1393 53 from a closet where it was placed in the corner on its side. **LEE** stated he did not know the contents of the parcel.

24. At approximately 5:10 p.m., **MONTRELLE DAVIS** arrived at 624 Arden Pl. Prior to any questioning, Inspector Green advised **DAVIS** of her Miranda Rights. **DAVIS** acknowledged she understood her rights and willingly agreed to answer questions at this time without the presence of an attorney. **DAVIS** initially stated she had no knowledge of USPS parcels mailed to her residence at 624 Arden Pl. Inspector Green detained **DAVIS**' Samsung cellular phone.

25. **DAVIS** provided verbal and written consent for Inspector Green to conduct an examination of her cellular phone (phone number 234-716-5373). Inspector Green conducted a preliminary examination of **DAVIS**' cellular phone and identified several investigation relevant text messages exchanged between **DAVIS** and **LEE** and also **DAVIS** and **FREEMAN** on July 11, 2018.

26. At approximately 10:53 a.m., the contact "Jermaine" (phone number 330-208-7290) in **DAVIS**' cellular phone sent the following text message to **DAVIS**, "*Tell Ced today is the day.*" At approximately 11:00 a.m., **DAVIS** responded, "*He said ok.*"

27. At approximately 10:54 a.m., **DAVIS** sent the following text message to the contact "Ced" (phone number 330-510-9033) in **DAVIS**' cellular phone, "*Bro said something*

coming in the mail, look out for it please.” Based on the foregoing, I reasonable believe the contact “Ced” in **DAVIS**’ cellular phone is **CEDRIC LEE**.

28. Text messages from another phone number associated with **FREEMAN** were also identified in **DAVIS**’ cellular phone. On July 9, 2018, the date the suspect crystal methamphetamine was mailed from Phoenix, AZ to Akron, OH, **DAVIS** received a text message from phone number 608-658-3954. The phone number was not saved under a contact name. At approximately 4:44 p.m., **DAVIS** received the following text message, *“When u get off go get that \$1400 from Tierra.”* At approximately 5:31 p.m., **DAVIS** received the following text message, *“Want you to send Santos \$500.”* At approximately 7:11 p.m., **DAVIS** sent a photograph of a Western Union receipt via text message to phone number 608-658-3954.

29. Inspector Green asked **DAVIS** about the text messages and photographs found in her cellular phone. **DAVIS** stated the contact “Jermaine” in her phone is her brother, **JERMAINE FREEMAN**. **DAVIS** stated phone number 608-658-3954 was another phone number used by **FREEMAN**. **DAVIS** stated **FREEMAN** told her he was sending a USPS parcel to her address. **DAVIS** stated she sent money to **FREEMAN** via Western Union. **DAVIS** said she did not know the contents of the parcel **FREEMAN** mailed and would not elaborate why she sent money to **FREEMAN**.

30. At approximately 5:27 p.m., **DAVIS** (phone number 234-716-5373) willingly made a recorded phone call to **JERMAINE FREEMAN** (phone number 608-658-3954). **DAVIS** told **FREEMAN** she would leave the back door of her residence open so he could come over and grab that box (USPS parcel 9505 5107 2626 8190 1393 53). **FREEMAN** said he has a key to the backdoor of **DAVIS**’ house. **DAVIS** asked **FREEMAN** about the name on the box (James Davis). **FREEMAN** stated, *“Why? What about it?”* **DAVIS** stated, *“There was*

something crazy about that name on that box.” **FREEMAN** stated, *“What is it? I put it on there.”* **FREEMAN** stated, *“What do you mean the name? What’s wrong with the name?”* **FREEMAN** instructed **DAVIS** to take a picture of the name on the box and send it to him. This is only a summary of the phone call between **DAVIS** and **FREEMAN**.

31. At approximately 5:34 p.m., **DAVIS** received the following text message from **FREEMAN** (608-658-3954), *“Send that picture of the name.”*

32. Also on July 11, 2018, Postal Inspectors conducted additional inquiries with USPS business records and databases, and found a related USPS Priority Mail parcel with similar characteristics as USPS parcel 9505 5107 2626 8190 1393 53, including type of mail, origin, destination, weight, and size.

33. This second USPS parcel is described as USPS Priority Mail parcel bearing tracking number 9505 5107 2626 8190 1395 13, addressed to Ronald Freeman, 395 S Van Buren, Barberton, OH 44203, with a return address of Kevin Ford, 8715 W Earl Dr, Phoenix, AZ 85037 (hereinafter “USPS parcel 9505 5107 2626 8190 1395 13”).

34. USPS parcel 9505 5107 2626 8190 1395 13 was “out for delivery” in Barberton, OH when it was identified by Postal Inspectors. On July 11, 2018, Postal Inspectors took custody of USPS parcel 9505 5107 2626 8190 1395 13 from the USPS delivery employee at the Barberton, OH Post Office. Postal Inspectors transported USPS parcel 9505 5107 2626 8190 1395 13 to the USPIS Cleveland, OH Field Office where it was secured pending further investigation.

35. On July 12, 2018, I took custody of USPS parcel 9505 5107 2626 8190 1395 13 at the USPIS Cleveland, OH Field Office. USPS parcel 9505 5107 2626 8190 1395 13 is further

described as a white USPS Priority Mail Large Flat Rate Box measuring approximately 12" X 12" X 5.5" in size and weighing approximately 5 pounds, 8 ounces. I identified this as a suspect drug parcel based on several characteristics, including but not limited to type of mail, origin, destination, and size.

36. Similar to USPS parcel 9505 5107 2626 8190 1393 53, USPS parcel USPS parcel 9505 5107 2626 8190 1395 13 was mailed on July 9, 2018, from the Phoenix, AZ 85009 Post Office and bore \$18.90 in U.S. Postage. As stated above, I am aware that Arizona has historically been a source area for mailed controlled substances into Northern Ohio.

37. I made inquiries with CLEAR, concerning the delivery address of 395 S Van Buren, Barberton, OH 44203, and was unable to associate Ronald Freeman at the address.

38. I also conducted inquiries with CLEAR, concerning the return address of 8715 W Earrl Dr, Phoenix, AZ 85037, and was unable to associate Kevin Ford at the address. This was the same sender name and return address listed on USPS parcel 9505 5107 2626 8190 1393 53.

39. On July 12, 2018, USPS parcel 9505 5107 2626 8190 1395 13 was placed into a lineup containing several blank parcels which emanated no narcotics odors. Narcotic detection canine "Ciga," handled by Detective Michael Twombly of the Cuyahoga County Sheriff's Office was allowed to examine the lineup. According to Detective Twombly, Ciga gave a positive alert on the subject parcel. According to Detective Twombly, this positive alert meant Ciga detected the odor of an illegal drug emanating from the parcel.

40. On July 12, 2018, in the Northern District of Ohio, a federal search warrant (1:18MJ3232) was authorized by the Honorable Magistrate Judge Thomas M. Parker for USPS parcel 9505 5107 2626 8190 1395 13. I executed the search warrant on USPS parcel 9505 5107

2626 8190 1395 13 and identified approximately one pound of an off-white crystalline substance in vacuum sealed food saver bags that field tested for methamphetamine, a Schedule II controlled substance. The crystalline substance was concealed in a package of white tee shirts and packaged with socks and personal hygiene products

41. I reviewed images produced from the surveillance cameras inside the Phoenix, AZ 85009 Post Office from the date and time when the two seized USPS parcels were mailed. USPS parcel 9505 5107 2626 8190 1393 53 was mailed at approximately 11:45 a.m. local Arizona time. USPS parcel 9505 5107 2626 8190 1395 13 was mailed at approximately 3:40 p.m. local Arizona time. The images show an African-American male resembling **FREEMAN** as the mailer of both seized USPS parcels. Additionally, the surveillance video and images show the African-American male completing the name and address information before mailing the parcels.

42. The return addresses on the two seized USPS parcels was 8715 W Earrl, Phoenix, AZ 85037. The return address on two of the previously delivered USPS parcel that are suspected of containing methamphetamine was 3715 W Earrl, Phoenix, AZ 85037 and 8720 W Catalina, Phoenix, AZ 85037. According to CLEAR, **FREEMAN** was associated with 8715 Catalina Dr, Phoenix, AZ 85037 in January 2014. Based on the foregoing, **FREEMAN** used variations of a former address in Phoenix, AZ as the return addresses on the USPS parcels mailed to Akron, OH.

43. On October 24, 2014, **FREEMAN** pled guilty to conspiracy to possess with intent to distribute heroin, in violation of Title 21, United States Code 846 and was sentenced to the custody of the Bureau of Prisons for a term of 27 months. **FREEMAN** is currently on federal

supervised release stemming from this conviction.

CONCLUSION

44. Based on the information contained in this affidavit, I believe there is probable cause that on July 11, 2018, in the Northern District of Ohio, **JERMAINE FREEMAN**, **CEDRIC LEE** and **MONTRELLE DAVIS**, violated Title 21, United States Code 841(a)(1) and (b)(1)(A), that is, attempted possession with intent to distribute over 50 grams of methamphetamine, its salts, isomers, and salts of isomers, a Schedule II controlled substance.



MARC A. KUDLEY
U.S. POSTAL INSPECTOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18 DAY OF JULY, 2018, AT YOUNGSTOWN, MAHONING COUNTY, OHIO.



GEORGE J. LIMBERT
U. S. MAGISTRATE JUDGE